

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WEST COAST SERVICING, INC.,
Plaintiff,

1:22-cv-06517-LJL

-against-

SHERRIANN MCCARTHY ROGERS A/K/A
SHERIAN MCCARTHY ROGERS,
DEPARTMENT OF HOUSING
PRESERVATION AND DEVELOPMENT,
NEW YORK CITY ENVIRONMENTAL
CONTROL BOARD, NEW YORK CITY
PARKING VIOLATIONS BUREAU,
Defendant(s).

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ORDER APPOINTING
REFEREE AND
DIRECTING SALE

On the Summons in a Civil Action (the “Summons”) and Verified Complaint (the “Complaint”) filed herein on August 1, 2022; on the Notice of Pendency filed in the Bronx County Clerk’s Office; and upon the Memorandum and Order of The Honorable Lewis J. Liman entered on November 14, 2023 granting Plaintiff West Coast Servicing, Inc.’s Motion for Summary Judgment;

IT IS ORDERED AND ADJUDGED, that upon confirmation of the Referee’s report by the Court, the mortgaged premises described in the Complaint and in Schedule ‘A’ annexed hereto shall be sold pursuant to further order of this Court.

IT IS FURTHER ORDERED that Mark L. McKew, of McKew Law Firm PLLC, is appointed as Referee to:

1. **Ascertain and compute the total amount due to Plaintiff, including principal, interest, fees, and costs, and file a report of the amount due for confirmation by the Court prior to proceeding with the foreclosure sale;**
2. Determine whether the mortgaged premises should be sold in one parcel;

3. Conduct the foreclosure sale of the mortgaged premises at public auction in accordance with RPAPL § 1351, with notice given as required under RPAPL § 231;
4. Deposit the proceeds of the sale in an FDIC-insured bank and distribute them as follows:
 - (a) The sum of \$750.00 to the Referee for fees;
 - (b) The expenses of the sale and advertising as certified by the Referee;
 - (c) The amount due to Plaintiff as determined in the Referee's report, with interest and allowable costs and disbursements, or so much thereof as the purchase money of the mortgaged premises will pay of the same.

IT IS FURTHER ORDERED AND ADJUDGED, that upon confirmation of the Referee's report, Plaintiff shall submit a final proposed Judgment of Foreclosure and Sale incorporating the Referee's findings for the Court's approval.

IT IS FURTHER ORDERED AND ADJUDGED, that each and all of the Defendants in this action, and all the persons claiming under them after filing of the notice of the pendency of this action, be and hereby are forever barred and foreclosed of all right, title, claim, interest, lien, and equity of redemption in said mortgaged premises.

Dated: New York, New York

March 24, 2025

SO ORDERED.

LEWIS J. LIMAN
United States District Judge

**SCHEDULE A
DESCRIPTION**

Block 3783 and Lot 14

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough and County of Bronx, City and State of New York, bounded and described as follows:

BEGINNING at a point on the Easterly side of Noble Avenue, distant 250 feet Southerly from the corner formed by the intersection of the Easterly side of Noble Avenue and the Southerly side of East 172nd Street;

RUNNING THENCE Easterly parallel with the Southerly side of East 172nd Street, 100 feet;

THENCE Southerly parallel with the Easterly side of Noble Avenue, 25 feet;

THENCE Westerly again parallel with the Southerly side of East 172nd Street and part of the distance through a party wall, 100 feet to the Easterly side of Noble Avenue;

THENCE Northerly along the Easterly side of Noble Avenue, 25 feet to the point or place of BEGINNING.

Premises known as 1260 Noble Avenue, Bronx, New York 10472